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| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/746,742 | 12/21/2000 | Debra M. Eckert | 0399.1192-008 |

CONFIRMATION NO. 8580

FORMALITIES LETTER



OC000000005836725

Anne J. Collins
HAMILTON, BROOK, SMITH & REYNOLDS, P.C.
Two Militia Drive
Lexington, MA 02421-4799

Date Mailed: 03/07/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

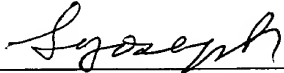
- The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$2986.

| | |
|---|---|
| <ul style="list-style-type: none"> \$1386 for 77 total claims over 20. \$1600 for 20 independent claims over 3. | 08/14/2001 MBERHE 00000046 09746742 01 FC:101 710.00 OP 02 FC:105 130.00 OP 03 FC:103 1386.00 OP 04 FC:102 1680.00 OP |
|---|---|
- The oath or declaration is missing.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 3826.**
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

A copy of this notice MUST be returned with the reply.



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Sector #11
✓

Applicants: Debra M. Eckert, David C. Chan, Vladimir Malashkevich, Peter A. Carr and Peter S. Kim

Application No.: 09/746,742

Group: 1614

Filed: December 21, 2000

Examiner: Not Assigned

For: Inhibitors of HIV Membrane Fusion

| | |
|---|----------------------|
| CERTIFICATE OF MAILING | |
| I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231 | |
| on <u>8-7-01</u> | <u>Jane Goldberg</u> |
| Date | Signature |
| <u>JANE GOLDBERG</u> | |
| Typed or printed name of person signing certificate | |

REPLY TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Box Missing Parts
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In reply to the Notice to File Missing Parts dated March 7, 2001, the following documents and fees are being submitted for filing in the captioned application. A copy of the Notice is attached.

[X] EXECUTED DECLARATION/POWER OF ATTORNEY

(Separate transmittal letter and postcard not required)

[X] FILING FEE - with Fee Transmittal for Patent Applications in duplicate.

(Separate transmittal letter and postcard not required)

[X] SURCHARGE - surcharge fee of \$130.00.

(Separate transmittal letter and postcard not required)

[X] SEQUENCE LISTING - Filed concurrently and is attached.

(Separate transmittal letter and postcard required)

☐ **TRANSMITTAL OF SUBSTITUTE DRAWINGS**

☐ Sheets of substitute drawings consisting of Figs. 1 - ☐ are enclosed.
(Separate transmittal letter and postcard not required)

☒ **PETITION FOR EXTENSION OF TIME**

☒ Applicant hereby petitions to extend the time to respond to the Notice to File Missing Parts dated March 7, 2001 for three months from May 7, 2001 to August 7, 2001. The appropriate fee of \$890 is included in the enclosed check.

☐ A ☐ month extension of time to respond to the Notice to File Missing Parts dated ☐ was filed on ☐ with payment of a \$☐ fee.

☐ Applicant hereby petitions for an additional ☐ month extension of time to respond to the Notice to File Missing Parts. The appropriate fee of \$☐ is included in the enclosed check.

(Separate Petition for Extension of Time and postcard not required)

☐ **REQUEST FOR CORRECTED FILING RECEIPT** - Filed concurrently and is attached.

(Separate transmittal letter and postcard required)

☐ **STATEMENT CLAIMING SMALL ENTITY STATUS**

☐ Was filed on ☐.

☐ Is enclosed herewith.

(Separate transmittal letter and postcard not required)

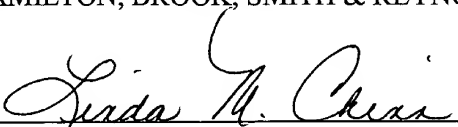
☐ In view of the small entity status of the captioned application, we hereby request a reimbursement of 50% of the filing fees in the amount of \$☐ which were paid on ☐ to be deposited in Deposit Account No. 08-0380.

The fees required for filing the indicated documents are enclosed in the form of a check in the total amount of \$4796. Please charge any deficiency or credit any overpayment in the fees that may be due in this matter to Deposit Account No. 08-0380. A copy of this letter is enclosed for accounting purposes.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By


Linda M. Chinn

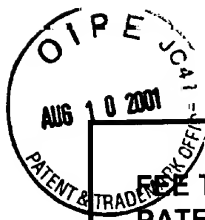
Registration No.: 31,240

Tel.: (781) 861-6240

Fax: (781) 861-9540

Lexington, Massachusetts 02421-4799

Date: August 7, 2001



HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

| FEE TRANSMITTAL FOR PATENT APPLICATIONS | | Attorney Docket Number | 0399.1192-008 | | |
|---|---|------------------------|------------------|--------------------------------------|-----------------------|
| | | Application Number | 09/746,742 | | |
| | | First Named Inventor | Debra M. Eckert | | |
| CLAIM CALCULATION (includes any preliminary amendment) | | | | | |
| CLAIMS | (1) FOR | (2) NUMBER FILED | (3) NUMBER EXTRA | (4) RATE | (5) CALCULATIONS |
| | TOTAL CLAIMS (37 CFR 1.16(c) or (j)) | 97 - 20* = | 77 | x \$ 18 = | \$ 1386 |
| | INDEPENDENT CLAIMS (37 CFR 1.16(b) or (i)) | 24 - 3** = | 21 | x \$ 80 = | \$ 1680 |
| | MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d)) | | | + \$ 270 = | \$ |
| | | | | BASIC FEE (37 CFR 1.16(a) or (h)) | \$ 710 |
| | | | | Total of above Calculations = | \$ 3776 |
| | Reduction by 50% for filing by small entity (37 CFR 1.9, 1.27, 1.28) = | | | | \$ |
| | TOTAL = | | | | \$ 3776 |
| | Surcharge - Late Filing of Declaration or Filing Fees (37 C.F.R. 1.16(e)) = | | | | \$ 130 |
| | Petition for Extension of Time Fee (37 C.F.R. 1.17) = | | | | \$ 890 |
| | Assignment Recordation Fee = (only when filed with application) | | | | \$ |
| | * Reissue claims in excess of 20 and over original patent ** Reissue independent claims over original patent | | | TOTAL = | \$ 4796 |
| 1. Small entity status: | | | | | |
| a. <input type="checkbox"/> A small entity statement is enclosed. | | | | | |
| b. <input type="checkbox"/> A small entity statement was filed in the prior non-provisional application and such status is still proper and desired. | | | | | |
| c. <input type="checkbox"/> Is no longer claimed. | | | | | |
| 2. <input checked="" type="checkbox"/> A general authorization is hereby granted to charge deposit account number 08-0380 for any fees required under 37 CFR 1.16 and 1.17 in order to maintain pendency of this application. A copy of this authorization is enclosed for accounting purposes. | | | | | |
| 3. <input checked="" type="checkbox"/> A check is enclosed for \$4796.00. <input type="checkbox"/> Please charge \$[] to Deposit Account No. 08-0380. | | | | | |
| 4. <input type="checkbox"/> Other: _____ | | | | | |
| Signature | | <i>Linda M. Chinn</i> | | Date | <i>August 7, 2001</i> |
| Submitted by Typed or Printed Name | | Linda M. Chinn | | Reg. Number | 31,240 |